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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/508,771

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JINKO KIMURA

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8406

24203 7590 08/21/2008  
GRIFFIN & SZIPL, PC  
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EXAMINER

WALKE, AMANDA C

ART UNIT

PAPER NUMBER

1795

MAIL DATE

DELIVERY MODE

08/21/2008

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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EX PARTE: PETER PFEIFFER and STEPHEN MATTIN

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Application No. 09/508,771

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on April 23, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) was filed on April 24, 2008. A review of the Image File Wrapper reveals that the examiner has not considered the IDS. According to MPEP § 609 which states:

“ . . . The Examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.”

CONCLUSION

Accordingly, it is

**ORDERED** that the application is returned to the Examiner:

1) for consideration of the IDS and written notification to the applicant of such consideration; and

2) for further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
DALE M. SHAW  
Chief Appeals Administrator  
(571) 272-9797

DMS/jgr

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